

10/540375

TBK

TIEDTKE - BÜHLING - KINNE &amp; PARTNER (GbR)



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Via e-mail only

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Attn.: Mr. Chris James  
Assistant General Counsel  
Intellectual Property (IP)

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Rechtsanwälte  
Michael Zöbisch

November 8, 2004

Your ref.: 930-99-002 (2)      Our ref.: WO 35679  
PCT-Application No.: PCT/IB02/03589  
Applicant: Honeywell International Inc.

Dear Chris,

Enclosed please find herewith the International Preliminary Examination Report issued to the above-identified PCT-application as well as the respective notification of the EPO.

As can be understood from the present report, it would be advisable to enter each of the respective regional/national phases of the present PCT-application on the basis of an amended claim version including at least a minimum of amending features, in order to delimit the claimed subject-matter against the relevant prior art.

With regard to the above, I would like to refer to our respective comments and proposal for new claims 1 to 7 sent to you via e-mail on June 8, 2004 and a subsequent correspondence with Ephraim, in particular his e-mail of

Dresdner Bank, München  
Deutsche Bank, München  
Postbank, München  
Mizuho Corp. Bank, Düsseldorf  
HSBC Bank Limited, Düsseldorf

Kto. 3939 844  
Kto. 2861 060  
Kto. 6704 3804  
Kto. 810 423 3007  
Kto. 500 047

BLZ 700 800 00  
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BLZ 300 207 00  
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IBAN-Nr.: DE47 7008 0000 0393 9844 00  
IBAN-Nr.: DE14 7007 0024 0286 1060 00  
IBAN-Nr.: DE04 7001 0080 0067 0438 04  
IBAN-Nr.: DE75 3002 0700 8104 2330 07  
IBAN-Nr.: DE90 2012 0700 0000 5000 47

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BIC : PBNK DE FF  
BIC : MHCB DE DD  
BIC : SBBM DE NY

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July 12, 2004 as well as our respective proposal of July 14, 2004, a copy of which is enclosed herewith.

If you would like to consider alternative amending possibilities, please do not hesitate to ask for our further comments.

I am looking forward to receiving your instructions with regard to the above and remain,

With best personal regards,



Dr. G. Chivarov  
Patentanwalt  
**TBK-Patent**

Enclosures:

- International Preliminary Examination Report and respective Notification by the EPO;
- Copy of our respective proposal of July 14, 2004

JC20 Rec'd PCT/PTO 24 JUN 2005

**Dr. Georgi Chivarov**

**Von:** Dr. Georgi Chivarov [chivarovg@tbk-patent.de]  
**Gesendet:** Mittwoch, 14. Juli 2004 18:54  
**An:** Starr, Ephraim; Figura, Giorgio; Jeckel, Denis; Dechanet, Eric; Sausse, Lorrain  
**Cc:** Muhammad Adnan; (TBK); Bakker, Reinier (SZ21); Boucher, Eric (SZ21); Koenraad Van Himbeek  
**Betreff:** AW: PCT-Application No.: PCT/IB02/03589; OurRef.: WO 35679; YourRef.: 930-99-002(2); and YourRef 930-99-002 = OurRef: WO 35744/EP35745

Dear All,

This is just to focus your attention to the following:

(1) with regard to the basic application (docket no. 930-99-002), OurRef: WO 35744/EP35745: so far the main difference seems to be that in our step III version the cartridge is coupled to the center housing by means of the insert and not by means of the nozzle ring, i.e. by means of the element ("vane holder 36") carrying the vanes as is the case in the HONDA-application (EP-A2-0270384);

(2) with regard to the modified version application (docket no. 930-99-002(2)) OurRef: WO35679: The version of an amended claim 1 as proposed by Ephraim would be:

1. A turbocharger comprising a center housing (1), a variable nozzle device (11, 23, 25, 27, 29, 31), and an exhaust housing (47) being mechanically and/or thermally decoupled from the variable nozzle device, wherein the variable nozzle device (11, 23, 25, 27, 29, 31) comprises a circumferential arrangement of vanes (27) interposed between a nozzle ring (23) and an outer ring (15) integrally formed with a peripheral ring (13) fitted on said nozzle ring and coupled to said center housing (1).

Such a new main claim can be accompanied for example by the subclaim:

2. A turbocharger according to claim 1, characterized in that the peripheral ring (13) is radially and axially spaced from the exhaust housing, so that any contact between the exhaust housing and the peripheral ring (13) is avoided.

Georgi

-----Ursprüngliche Nachricht-----

**Von:** Starr, Ephraim [mailto:ephraim.starr@honeywell.com]  
**Gesendet:** Montag, 12. Juli 2004 20:03  
**An:** Figura, Giorgio; Jeckel, Denis; Dechanet, Eric; Sausse, Lorrain  
**Cc:** Muhammad Adnan; Dr. Georgi Chivarov (TBK); (TBK); Bakker, Reinier (SZ21); Boucher, Eric (SZ21); Koenraad Van Himbeek  
**Betreff:** RE: PCT-Application No.: PCT/IB02/03589; Our ref.: WO 35679; Your ref.: 930-99-002(2); Applicant: Honeywell Int'l Inc.

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Attorney-Client Communication

Dear Georgi, Denis, Eric and Lorrain,